

## The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

PHILIPS NORTH AMERICA LLC, a Delaware Company; KONINKLIJKE PHILIPS N.V., a Company of the Netherlands; and PHILIPS INDIA, LTD., an Indian Company,

**Plaintiffs,**

VS.

SUMMIT IMAGING INC., a Washington Corporation; LAWRENCE R. NGUYEN, an individual; and DOES 1-10, inclusive,

## Defendants.

NO. 2:19-cv-01745-JLR

**STIPULATED MOTION AND  
[PROPOSED] ORDER FOR  
REFERRAL TO MAGISTRATE  
JUDGE FOR SETTLEMENT  
CONFERENCE**

**NOTE ON MOTION CALENDAR:  
April 14, 2021**

## I. STIPULATED MOTION

Pursuant to LCR 7(d)(1) and 10(g), Plaintiff Philips North America LLC, Koninklijke Philips N.V. and Philips India, Ltd. and Defendants Summit Imaging, Inc. and Lawrence R. Nguyen, by and through their respective counsel of record, respectfully request that the Court refer this matter to Magistrate Judge Michelle L. Peterson for a settlement conference in accordance with LCR 39.1(e).

STIPULATED MOTION AND ORDER FOR REFERRAL TO  
MAGISTRATE JUDGE FOR SETTLEMENT  
CONFERENCE - 1  
(No. 2:19-cv-01745-JLR)

Subject to Judge Peterson's schedule, the parties would ask that a settlement conference be scheduled for any of the following dates, listed in order of preference: (a) April 27, 2021, (b) April 28, 2021, or (c) May 24, 2021.<sup>1</sup>

Dated: April 14, 2021.

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<sup>1</sup> The operative scheduling order provides that a settlement conference should be held by May 7, 2021. ECF-71.

STIPULATED MOTION AND ORDER FOR REFERRAL TO  
MAGISTRATE JUDGE FOR SETTLEMENT  
CONFERENCE - 2  
(No. 2:19-cv-01745-JLR)

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17 *Attorneys for Defendants Summit Imaging Inc.*  
*and Lawrence R. Nguyen*

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STIPULATED MOTION AND ORDER FOR REFERRAL TO  
MAGISTRATE JUDGE FOR SETTLEMENT  
CONFERENCE - 3  
(No. 2:19-cv-01745-JLR)

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## II. ORDER

In accordance with LCR 39.1, this case is hereby referred to the Honorable Michelle L. Peterson for a settlement conference on May 24, 2021.

1. Who Must Be Present. Each attorney who will try the case should be physically present, accompanied by the client or a representative with full authority to resolve the case. If there are other interested parties whose presence would assist in resolving the case, please arrange for their attendance. Failure to produce the appropriate persons at the mediation or failure to participate in good faith may result in an award of costs and attorney fees incurred by the other parties regarding the conference.

2. Settlement Briefs. The parties shall exchange settlement briefs no more than 8 pages in length that set forth the issues to resolve, and the current status of settlement by 12:00 noon on Wednesday, May 19, 2021. The briefs should identify all individuals who will be in attendance at the conference with authority to settle the case. The briefs should not be filed, but should be emailed to Judge Peterson's courtroom deputy at

Tim Farrell@wawd.uscourts.gov.

3. Confidential Settlement Memoranda. Each party shall email a settlement memo of no more than five pages in length to [Tim Farrell@wawd.uscourts.gov](mailto:Tim_Farrell@wawd.uscourts.gov) by 12:00 noon on Wednesday, May 19, 2021. These memos are confidential, and should not be filed with the Clerk's Office or served on opposing counsel. Settlement memos should help the Court understand the facts, the issues to resolve, the applicable law and the parties' settlement position. The memo should include a settlement proposal, and describe settlement efforts to date. Exhibits that would help the Court understand the case may also be submitted.

4. Good Faith Participation. The Court expects all participants to be prepared and sincerely interested in settlement. All parties should keep an open mind and be willing to

1 reassess previous positions. Parties should be frank and open in their discussions. The Court  
2 expects the parties to address each other with courtesy and respect. In order to allow enough  
3 time to thoroughly explore all issues, the Court will set aside the entire day for the settlement  
4 conference. The parties should adjust their schedules accordingly.  
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6 It is so **ORDERED**.  
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8 DATED: April 19, 2021.  
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11 The Honorable James L. Robart  
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